

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 187A, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to be appropriately  
3 designated and to read as follows:

4           "§187A- Aquatic resources management advisory  
5 commission. (a) There is established within the department an  
6 aquatic resources management advisory commission, which shall  
7 serve in an advisory capacity to the board. The aquatic  
8 resources management advisory commission shall consist of the  
9 following nine members:

- 10           (1) One member from the county of Kauai;  
11           (2) Three members from the county of Maui, with one member  
12                 from each of the islands of Maui, Lanai, and Molokai;  
13           (3) Two members from the county of Hawaii, with one member  
14                 from east Hawaii and one member from west Hawaii;  
15           (4) One member from the city and county of Honolulu;  
16           (5) One at-large member; and



1       (6) The chairperson of the board or the chairperson's  
2       designated representative who shall serve as an ex  
3       officio voting member;  
4       provided that each member, other than the chairperson of the  
5       board, shall be appointed by the governor in a manner provided  
6       in section 26-34, shall be an individual licensed in the State  
7       under this chapter, and shall have leadership experience in  
8       working directly with local fishing organizations; provided  
9       further that at least one member shall have knowledge,  
10      experience, and expertise in the area of native Hawaiian  
11      cultural practices; provided further that no more than three  
12      members shall represent, be employed by, or be under contract to  
13      any sector of government.

14      (b) The aquatic resources management advisory commission  
15      shall elect a chairperson from among its members. The members  
16      shall receive no compensation for their services but shall be  
17      reimbursed for actual expenses incurred in the performance of  
18      their duties, including traveling expenses while attending  
19      meetings and while in the discharge of their duties.

20      (c) The aquatic resources management advisory commission  
21      may recommend polices and criteria regarding the management,



1 protection, and promotion of public aquatic resources in Hawaii  
2 and may recommend amendments to existing department policies and  
3 procedures relating to aquatic resources, particularly regarding  
4 this chapter.

5 (d) The aquatic resources management advisory commission  
6 shall:

7 (1) Consult and advise the board on any matter affecting  
8 aquatic resources, including proposed rules and  
9 regulations;

10 (2) Assist in the evaluation and development of aquatic  
11 resources management plans as appropriate or required,  
12 and any changes to those plans as necessary;

13 (3) Assist in establishing criteria to be used in  
14 determining whether an area is suitable for aquatic  
15 resources production or enhancement;

16 (4) Advise on studies of areas for sustainable yield  
17 aquatic resources production or enhancement;

18 (5) Recommend to the board the areas that are suitable for  
19 aquatic resources production or enhancement;

20 (6) Recommend policies and criteria regarding the  
21 management, protection, and permitted uses of areas



- 1           that are used for aquatic resources production or  
2           enhancement;
- 3       (7) Assist the department in developing ways and means to  
4           extend and strengthen aquatic resources and management  
5           areas, other designated fishing areas, and mixed-use  
6           areas within the State;
- 7       (8) In carrying out its duties, consult the most  
8           comprehensive up-to-date compilation of scientific  
9           data;
- 10       (9) Make recommendations relating to the process of  
11           fishing rules modification;
- 12       (10) Collaborate with agencies and other persons who gather  
13           information and implement fishing programs and data;
- 14       (11) Take testimony and acquire information as it desires  
15           and communicate its findings and recommendations to  
16           the board; and
- 17       (12) Assist the department on policies, plans, and  
18           procedures related to the control of aquatic  
19           resources, including activities by the department and  
20           its contractors.



1       (e) Any action taken by the aquatic resources management  
2 advisory commission shall be validated by a simple majority of  
3 its members. Five members shall constitute a quorum.

4       (f) All meetings of the aquatic resources management  
5 advisory commission shall be conducted subject to chapter 92.

6       (g) Except as otherwise provided in this chapter, the  
7 aquatic resources management advisory commission shall be  
8 subject to sections 26-34, 26-35, 26-35.5, and 26-36.

9       (h) The department shall provide administrative support to  
10 the aquatic resources management advisory commission. Federal  
11 moneys and other moneys that become available to the department  
12 may be used to offset administrative costs incurred by the  
13 department for purposes of this section.

14       (i) The aquatic resources management advisory commission  
15 shall submit a report to the legislature no later than twenty  
16 days prior to the convening of the regular session of 2022, and  
17 each regular session thereafter, on its efforts to comply with  
18 this section, including a summary of its activities during the  
19 year preceding the regular session for which the report was  
20 prepared.

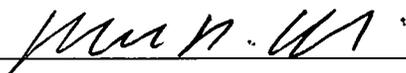


1        (j) The aquatic resources management advisory commission  
2 may adopt rules pursuant to chapter 91 to implement this  
3 section."

4        SECTION 2. New statutory material is underscored.

5        SECTION 3. This Act shall take effect upon its approval.

6

INTRODUCED BY: 

**By Request**



# S.B. NO. 181

**Report Title:**

Aquatic Resources Management Advisory Commission; Establishment;  
Fishing

**Description:**

Establishes the aquatic resources management advisory commission  
in the department of land and natural resources.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

